IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 31251 of 1998

Between:

Bolinedi Appa Rao, S/o. Venkaiah,
R/o. Bandipalem (V), Jaggaiahpet Mandal,
Krishna Dist.

..... PETITIONER

AND

1 The Dist. Educational Officer,
Machilipatnam, Krishna Dist.
2 The Mandal Development Officer,
Jaggaiahpet (V) and Mandal, Krishna Dist.
3 The Mandal Educational Officer,
Jaggaiahpet (V) and Mandal, Krishna Dist.
4 The Election Officer, M.P. Elementary School (main),

Bandipalem, Jaggaiahpet Mandal, Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction particularly one in the nature of Writ of Mandamus, directing the respondents herein to hold the election as per the election notification dt.14.7.1998 from the stage where it was stopped on 25.7.1998 for election of President and School Committee for the M.P. Elementary School (main), Bandipalem, Jaggaiahpet Mandal, Krishna District.

Counsel for the Petitioner: MR. Y.RAMA RAO

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following ORDER:

The petitioner claims to be a Member of Parents Committee of Mandal Parishad Elementary School (Main), Bandipalem, Jaggaiahpet Mandal in Krishna District.

Election Schedule was given for election of School Committee on 25-7-1998 at about 10 a.m. However, on that day, some parents tried to stop the elections and therefore, the election was not held. Therefore, the petitioner filed the present Writ Petition, seeking a direction to the respondents to conduct elections pursuant to the Election Notification dated 14-7-1998 from the stage where it is stopped.

The School Committees are elected under Section 5(1) of the A.P. School Education (Community Participation) Act, 1998 (for brevity, 'the Act'). Further, as per Section 5(4) of the Act, the term of elected School Committee is two years. Therefore, the prayer made in the Writ Petition has become infructuous.

The Writ Petition is, therefore, dismissed as infructuous. No costs.

_____

V.V.S. RAO, J

Dated: November 04, 2004.

Ak

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Dist. Educational Officer, Machilipatnam, Krishna Dist.
2 The Mandal Development Officer,
Jaggaiahpet (V) and Mandal, Krishna Dist.
3 The Mandal Education officer,
Jaggaiahpet (V) and Mandal, Krishna Dist.
4 The Election Officer, M.P. Elementary School (main),

Bandipalem, Jaggaiahpet Mandal, Krishna Dist.

5 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

6 Two CD copies.